

**Solid Waste Advisory Committee
Meeting Summary
February 15, 2005**

Preliminary Proposed Solid Waste Master Plan Revisions

John Fischer presented DEP's preliminary proposed revisions for the *Beyond 2000 Solid Waste Master Plan (SWMP)*. For more information, please refer to this presentation on DEP's web site at <http://www.mass.gov/dep/bwp/dswm/dswmpubs.htm#swac>.

Comments from meeting participants included the following:

Capacity Planning No Net Import/Export Policy Change

- DEP's proposal suggests an expectation that Massachusetts will reach no net export over time, but there are no incentives attached to this policy/proposed goal to make it happen. Without that, no net import/export should be dropped altogether.
- There is nothing to stop facilities from going to bordering states and opening facilities where Massachusetts has no regulatory control over facility management.
- Capacity restraints (such as the municipal waste combustor (MWC) moratorium) limit the ability to achieve this goal. DEP needs to allow the market to solve the export/import problem.
- DEP should not keep the goal if it does not plan to seriously pursue it. (Projections show that another MWC could be built and retired before the goal is achieved.)
- DEP should develop a plan or strategic outline showing recommended capacity numbers needed for specific waste sectors (organics, paper recycling, C&D, disposal transfer, etc). This may help put the needed waste diversion capacity into perspective and help Boards of Health (BOHs) better understand capacity siting issues.

Combustion Facility Moratorium

- The rationale of mercury emissions does not seem like a good one for upholding the combustion facility moratorium. If mercury is the concern, why can't DEP require stricter limits for further mercury emissions? This seems inconsistent with how other sources of mercury such as coal power plants are regulated.
- Hasn't it helped that combustion facility mercury emissions have been reduced dramatically? Given these reductions, will combustion facilities still continue to be the largest source of mercury emissions?
- Combustion facilities are preferable to other forms of solid waste management in terms of greenhouse gas emissions, which is also identified as a top state priority – why look just at mercury? If looking at state and regional priorities consistently, DEP should then also limit development of other solid waste facilities (including landfills and composting facilities) that contribute to green house gas emissions.
- The moratorium limits the ability to achieve long-term capacity needs and balanced waste management.
- The moratorium does not allow for new, cleaner, and innovative combustion facility proposals to help offset mercury and other emissions for potential future combustion facility expansions.
- DEP should rely on regulatory controls rather than the Master Plan to manage issues such as emission limits. DEP should just set the emissions limits it believes are necessary through regulation and require facilities to comply with those.
- Some participants expressed support for continuing the moratorium.

C&D Debris Management

- DEP needs to be aggressive in enforcing waste ban requirements for C&D transfer stations and ensure that they are separating banned materials.
- DEP should continue to move forward with allowing in-state options for combustion of wood.
- DEP should publish two C&D recycling/diversion numbers – one including asphalt, brick, and concrete (ABC), and one without. This would better indicate the lower recycling rate for C&D other than ABC.

DEP Enforcement

- Participants expressed concerns with self-certification of small transfer stations. Some were concerned that this would create less regulatory scrutiny for small transfer stations. Others expressed concern that this would allow local BOHs more discretionary decision-making power. *(DEP Note: These proposed self-certification provisions would apply to permitting of small transfer stations, but not to site assignment.)*

Working with Other State Agencies

- Massachusetts should use state-owned land for siting new solid waste facilities.
- DEP should work with other state agencies like the Department of Food and Agriculture for organics processing infrastructure development, and the Department of Public Health on encouraging reduction of food waste at schools and nursing homes (by possibly changing meal/nutritional standards)
- The state should require all state agencies to buy recycled products through its State Sustainability Initiative.
- DEP should work with MassHighway to develop specifications for use of green glass cullet, compost, tire chips, recycled asphalt, and other similar materials in their construction work.
- DEP should develop a clearinghouse of information on recycled/alternative materials for use in projects by other state agencies.

DEP will consider comments received at this meeting as it develops a revised proposal for presentation at the next SWAC meeting scheduled for March 24, 2005. Please contact John Fischer at john.fischer@state.ma.us with questions or comments on this preliminary proposal.

Pay-As-You-Throw

Brooke Nash gave a presentation on Pay-As-You-Throw (PAYT), including why it is a priority for DEP and how Massachusetts communities have successfully overcome PAYT program challenges. For more information, please refer to this presentation on DEP's web site at <http://www.mass.gov/dep/bwp/dswm/swacsums.htm> or DEP's PAYT web site at <http://www.mass.gov/dep/recycle/cities.htm#payt>.

Update on Solid Waste Rail Transfer Issues

Laura Swain provided an update on the status of a proposed rail transfer facility in Wilmington. The preliminary environmental assessment prepared for the proposed facility by the Federal Surface Transportation Board's (STB) Section of Environmental Analysis considered the facility to be a railroad operation and therefore exempt from state and local permitting. However, the STB has not yet made a final decision on that project. The Town of Wilmington petitioned the STB regarding its upcoming decision on the project. DEP has decided to file a petition (since filed on 2/17/05) in support of the

Town's petition, regarding the solid waste portions of the proposed operation, and making additional arguments.

All documents regarding the proposed project may be found on the STB's website at <http://www.stb.dot.gov>. For more information please contact Laura Swain at laura.swain@state.ma.us or Jamie Doucett at james.doucett@state.ma.us.

Update on 310 CMR 19.000 Regulation Package

Jamie Doucett provided an update on the status of DEP's regulatory revisions to 310 CMR 19.000, the solid waste permitting regulations. DEP has completed its review of the comments received on the draft proposed regulations, including revising the regulations and preparing the response to comments document. The final regulation package has been submitted for DEP senior management review. Following DEP review and approval of the final regulations, the package will be sent to the Executive Office of Environmental Affairs, the Executive Office of Administration and Finance and then to the Secretary of State's office for promulgation. For more information on these regulations, please contact Jamie Doucett at james.doucett@state.ma.us.

Meeting Handouts and Presentations

- Meeting Agenda
- *Pay-As-You-Throw: An Overview*, available on DEP's website at <http://www.mass.gov/dep/bwp/dswm/swacsums.htm>.
- *Solid Waste Master Plan Revisions: Preliminary DEP Proposal*, available on DEP's website at <http://www.mass.gov/dep/bwp/dswm/swacsums.htm>.

Next SWAC Meeting

The next SWAC Meeting is scheduled for Thursday March 24, 2005, from 1:00 p.m. to 3:30 p.m. at DEP, One Winter Street, Boston, MA.